

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HABTOM O. TEFAMARIAM,	)	
	)	No. CV-12-508-JPH
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
v.	)	MOTION FOR REMAND
	)	
CAROLYN W. COLVIN, Acting	)	
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

BEFORE THE COURT is the parties' stipulated motion to remand this case, previously consolidated with case number 12cv333-JPH, to the Commissioner for further administrative proceedings. **ECF No. 19.** Maureen Rosette represents plaintiff. Special Assistant United States Attorney Kathryn Miller represents defendant. The parties have consented to proceed before a magistrate judge. **ECF No. 7.**

After considering the stipulated motion, **IT IS ORDERED** that the **motion is GRANTED. The decisions with respect to** both cases are **REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including:

1. The Appeals Council will remand to a new ALJ;
2. The ALJ will consolidate the two cases;
3. The ALJ will associate the claim files;
4. The consolidated cases will be assigned to a different ALJ;
5. Plaintiff will be provided with an opportunity for a new

ORDER GRANTING STIPULATED MOTION  
FOR ORDER OF REMAND - 1

1 hearing and new decision in accordance with 20 C.F.R. §§ 404.1535,  
2 416.935 and Social Security Ruling 13-2p;

3 6. Plaintiff will be able to obtain additional medical  
4 evidence;

5 7. The ALJ will further evaluate Plaintiff's medical and non-  
6 medical treating and examining sources and

7 8. If warranted, the ALJ will obtain a consultative  
8 examination from an individual who specializes in treating and  
9 examining individuals who have Substance Abuse Disorders and/or  
10 dual diagnoses of Substance Abuse Disorders and co-occurring  
11 mental disorders, in accordance with SSR 13-2p(8)(d), to assess  
12 whether Plaintiff's drug and alcohol use is a contributing factor  
13 material to any determination of disability.

14 **IT IS FURTHER ORDERED:**

15 1. The parties' stipulated motion for an order of remand  
16 pursuant to sentence four, filed in 12cv333-JPH at ECF No. 19, now  
17 consolidated with this case, is **GRANTED**.

18 2. Judgment shall be entered for **PLAINTIFF**.

19 3. An application for attorney fees and costs may be filed by  
20 separate motion.

21 4. The District Court Executive is directed to enter this  
22 Order, enter judgment, forward copies to counsel, and **CLOSE** the  
23 file.

24 **IT IS SO ORDERED.**

25 **DATED** this 25th day of March, 2013.

26 s/James P. Hutton  
27 JAMES P. HUTTON  
UNITED STATES MAGISTRATE JUDGE